

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JOE DEE STANG,

3:15-cv-01667-JE

Petitioner,

ORDER

v.

MARION FEATHER,

Respondent.

BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#7) on February 18, 2016, in which he recommends this Court dismiss Petitioner's Petition (#1) for Writ of Habeas Corpus as moot, enter a judgment dismissing this action without prejudice, and decline to issue a Certificate of Appealability. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its

obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#7). Accordingly, the Court **DISMISSES** Petitioner's Petition (#1) for Writ of Habeas Corpus **as moot**. In addition, the Court **DECLINES** to issue a Certificate of Appealability because Petitioner has not made a "substantial showing of the denial of a constitutional right." See 28 U.S.C. § 2253(c)(3).

IT IS SO ORDERED.

DATED this 22nd day of March, 2016.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge